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SUMMARY RECORD OF THE 1222nd MEETING

Held at Headquarters, New York,
on Thursday, 1 April 1992, at 10 a.m.

Chairman: Mr. ANDO

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The meeting was called to order at 10.20 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT (continued)

Second periodic report of Guinea (CCPR/C/57/Add.2)

1. At the invitation of the Chairman, Mr. Thiam (Guinea) took a place at the Committee table.

2. Mr. THIAM (Guinea) said that the current session was being held at a time when Guinea was involved in a democratization process entailing the establishment of democratic institutions founded on the Basic Law, which had been adopted on 23 December 1990. President Lansana Conté had often expressed his belief that there was a symbiotic relationship between human rights, development and social peace. As an introduction to the second report, he wished to provide certain facts that would place in context the progress achieved since April 1984. That progress would not have been possible if human rights and human freedoms had not been the focus of national concern. After providing a geographical description of Guinea, he went on to discuss the economic context of the second report. On 3 April 1984, Guinea had abandoned a command economic system in favour of free market economy. On 22 December 1985, with the assistance of the World Bank and the International Monetary Fund, it had launched a programme for financial and economic reform, encompassing two phases, 1986-1991 and 1991-1994. During the second phase, it had negotiated a new agreement with regard to the Enhanced Structural Adjustment Facility (ESAF). The reform programme had the following objectives: to lay the groundwork for economic growth through the gradual disengagement of the State from its production and commercial sectors; to promote the private sector by strengthening the juridical and institutional framework; to reduce the average annual inflation rate to approximately 16 per cent in 1991; and to reduce the current account deficit of the balance of payments to 5 per cent of the gross domestic product. In macroeconomic terms, pursuit of those objectives had resulted in real economic growth averaging approximately 4 per cent since 1986 a significant reduction in inflation and a reduction of the balance-of-payments deficit. The ESAF was designed to remove the obstacles to economic growth and financial stability, with a view to consolidating the gains of the reform programme and to achieving the following goals: increasing real economic growth by an average of 4 per cent yearly in the rural sector, reducing the inflation rate to 8 per cent by 1994, and reducing the current account deficit to 8.2 per cent of GDP in 1994 so as to significantly reconstitute government reserves. Those goals would be achieved through the implementation of the following measures: a flexible exchange rate policy, a freeing up of distribution channels, and the correction of price distortions; a cautious credit and debt policy; a policy of restructuring of public enterprises; and the strengthening of Administrative reform; the stabilization of public finance; and regional and subregional cooperation.

3. The principle of political decentralization had been put into practice through the establishment of urban and rural communes with elected councils. The basic principle of multi-party government established in the Basic Law had likewise been implemented. Forty-two parties were competing for political

(Mr. Thaim, Guinea)

power, adhering to the principle of peaceful and loyal opposition. Act L/91/005 of 23 December 1991, concerning freedom of the press and Act L/91/006 of 23 December 1991 creating the National Communications Council, provided for the freedom to express divergent points of view. There were about 20 newspapers, several of which belonged to political parties. A private television station was in the planning stage. A building code had been adopted, transforming property law, and strengthening free enterprise and facilitating access to credit. An investment code had likewise been adopted, furthering the development of the private sector. Act L/91/012 of 23 December 1991, establishing the electoral code, and Act L/91/014, of 23 December 1991, determining eligibility requirements and the system of ineligibilities and incompatibilities, served to create the necessary conditions for the exercise of basic political freedoms. Act L/91/002, of 23 December 1991, set out principles and rules to prevent political competition from descending into anarchy.

4. Guinea believed that democracy could not exist without peaceful opposition, and in accordance with that principle had based its constitutional structure on a multi-party system. The Basic Law had established political competition within a context of equality, freedom of thought, freedom of conscience, freedom of assembly, and freedom of expression. Following fair rules of procedure, it renounced dictatorship and the suppression of the individual by society and the State. Twenty-six years of dictatorship under a single party had amply shown that respect for human rights was not only the first principle of justice but was also the essential basis for the peaceful conduct of political affairs. The failure of totalitarian States and of Guinea in particular, had shown that wherever human rights were violated, development was impossible. Title II of the Basic Law, based on the International Covenants on Human Rights, proclaimed the rights and freedoms of the individual, thus ensuring the free participation of all in the realization of a society whose diversity was its wealth.

Constitutional and legal framework within which the Covenant is implemented: (arts. 2, 3, 4, 23, 24 and 26 of the Covenant) (section I of the list of issues)

5. The CHAIRMAN read out section I of the list of issues concerning the second periodic report of Guinea, namely: (a) the extent to which the Covenant had been taken into account in the drafting of the Basic Law; (b) the functions and activities of the National Transition Council with regard to formulating, and submitting for popular consultation, the organizational texts called for in the Basic Law; (c) with reference to paragraph 135, other factors and difficulties that could affect the implementation of the Covenant; (d) with reference to paragraphs 73 and 74, information on any cases in which provisions of the Covenant had been directly invoked before the courts, and the means of resolving contradictions between domestic legislation and the Covenant; (e) the availability to individuals, during states of emergency, of safeguards and effective remedies, and the constitutional or statutory basis for ensuring conformity with article 4, paragraph 2, of the Covenant; (f) progress achieved in establishing a legal framework for national institutions in charge of protecting and promoting human rights, and the nature, activities and status of the "embryonic human rights organizations" mentioned in paragraph 128; (g) current data on the participation of women in the political, economic, social and cultural life of the country, and, in particular, the impact of

(The Chairman)

Guinean culture and traditions on the implementation of human rights, as contained in the Covenant, particularly in articles 3 and 26.

6. Mr. THIAM (Guinea) referring to section I (a), observed that article 5 of the Basic Law was an adaptation of the preamble to the Covenant; the final paragraph of article 19, of the Basic Law was an adaptation of article 1, paragraph 1, of the Covenant; the second paragraph of article 19 was an adaptation of article 1, paragraph 2, of the Covenant; article 8 of the Basic Law was an adaptation of article 2, paragraph 1, of the Covenant and also corresponded to article 3; article 9 of the Basic Law was an adaptation of article 2, paragraph 3 (a) of the Covenant; article 74 of the Basic Law corresponded to article 4 of the Covenant. Organization Act L/96, concerning states of siege and states of emergency, specified that those measures could be invoked only during grave disturbances of public order where domestic security was endangered. It also stated that no person could be subject to restrictive residence or local expulsion. Anyone subjected to those measures had the right to appeal to an advisory body presided over by a judge. Organization Act L/96 corresponded to article 5 of the Covenant; articles 6, 7, 8, 9, 10, 11, 12, 14 and 15 of that Act defined the powers of the government during states of emergency. Articles 16, 17, and 18 of the Act vested the powers enumerated in articles 3 to 13 in the military authorities during states of siege. Article 23 declared that states of siege and emergency could not exceed a duration of 12 days, as prescribed by article 74 of the Basic Law.

7. With regard to section I (b) the National Transition Council was vested with legislative powers under article 92 of the Basic Law. Article 94 provided that the Council would establish laws to further the development of institutions and the functioning of the Government. In the interim, the Council was empowered to take what measures it deemed necessary to protect the lives and liberty of citizens.

8. With regard to section I (c), taking as an example the implementation of article 10 of the Covenant, Guinea was suffering from a shortage of financial resources and was unable to provide the required "minimum conditions", such as, for instance, the separation of juveniles and adults, or of accused and convicted persons. The prisons were in a state of total disrepair and certain standards could not be met, notably with regard to women and minorities. The meagre resources obtained from structural adjustment measures were, as prescribed by the donors, directed towards the production sector. Penal laws had been enacted to benefit juveniles, but there were no rehabilitation centres to facilitate the reassimilation of juvenile delinquents into society. Taking as another example the implementation of article 14 (3) (b) of the Covenant, virtually all arrested persons were so poor as to require court-appointed counsel, but all the lawyers were in Conakry. A session of the assize court at Labé had recently been postponed because the court-appointed counsel had not arrived; his transportation costs had not been paid. The budget imposed under structural adjustment did not provide for expenses of that sort.

9. With regard to section I (d) in Guinean law, no discrepancy was permissible between the rules of domestic and international law. Article 79 of the Basic Law provided for the supremacy of the latter; when a discrepancy arose, the

(Mr. Thiam, Guinea)

domestic law would be modified. The question raised in section I (e), had been addressed earlier.

10. With regard to section I (f), Decree No. 92/207 of the Ministry of the Interior and Defence, dated 11 May 1992, authorized the establishment of the Guinean Association for Human Rights, an organization which was multi-dimensional, independent and apolitical; its goals and strategy were set out in articles 3, 4 and 5 of the decree. During the second half of 1992, the Association had undertaken a number of modest actions and had nevertheless achieved appreciable results.

11. Concerning section I (g), women held positions equal to those of men at all levels of national administration. Of the 17 members of the Government, 3 were women, and 3 of the 7 members of the National Transition Council were women. There was a woman leader of a political party and a woman mayor. A woman was public prosecutor for one of the two appeals courts in Guinea. There were active associations of businesswomen and of women who were heads of organizations. Women played roles of primary importance, both in the countryside and in the cities. In cooperation with donors, the Government had promoted women's cooperatives in all areas of production. Furthermore, many non-governmental organizations had invested in the promotion of small- and medium-sized collective businesses run by women.

12. Mr. NDIAYE said that serious efforts were clearly being made in Guinea to establish a State under the rule of law. Perhaps, however, because of the administrative upheavals involved in the transitional period, the second periodic report of Guinea did not follow the Committee guidelines regarding the form and content of reports, which should not only give the general framework within which the civil and political rights recognized by the Covenant were protected in the reporting State but should also contain information in relation to each provision of the individual articles of the Covenant. Nevertheless, he found the report to be a very honest one, particularly paragraphs 106, 113, 118, 132 and 135.

13. While all States needed to be in a sense personified in a leader, the "personalized" power of the President of Guinea (para. 38 of the report) was another matter, especially coming on the heels of a dictatorship. The excessive personalization of the State was a common problem of African countries. Since the Government of Guinea had determined that it would champion human rights, it should establish full legal controls while involving as many people as possible in the exercise of power. He was not at all convinced that the legitimacy of the presidency precluded any possibility of contesting presidential decisions, as maintained in the report (para. 39). A democratic system of checks and balances required opposition, organized constitutionally. The opposition parties in the National Assembly should, for instance, be able to contest some of the President's decisions according to pre-established mechanisms. It was a dangerous thing to hold authority sacred.

14. The political regime described in paragraph 44 of the report was unclear: under what circumstances would Parliament be dissolved, how soon would new elections be held, and what would be the procedure for constituting a new legislature?

(Mr. Ndiaye)

15. One should be wary of using a referendum as an easy political option, since that risked turning a representative democracy - composed of persons of experience and technical knowledge able better to understand the spirit of the laws being proposed - into a government by plebiscite. He found the report (para. 48) overly optimistic regarding that option.

16. In general, he would like more detailed information on the mechanisms outlined in paragraphs 49 to 52 of the report, which were meant to illustrate how presidential power was limited. The alternatives described in paragraph 49, for instance, seemed to offer the choice between a legislature that had no autonomous existence and a President compelled to resign, thus opening the door to a political crisis whose resolution was unclear. None of the provisions so schematically outlined seemed calculated to allay, reduce or settle constitutional crises, as claimed in the report (para. 51). The President's power to dissolve the National Assembly undermined everything else, and what came through in the report was a presidential regime with a great deal of power.

17. In addition, empowering the Supreme Court to give an opinion on the dissolution of the National Assembly (para. 60 of the report) gave the judiciary a most unusual degree of political control. Altogether, clarification was needed on the kind of regime the Government was trying to set up.

18. Miss CHANET, welcoming the clear evolution in Guinea towards democratic institutions, especially since the adoption of the Basic Law in 1990 and the restoration of a multi-party system, said that she agreed with Mr. Ndiaye's criticisms of the report. A mere five lines had been devoted, for instance, to articles 6 to 10 of the Covenant, and the report was silent on the practical implementation of the Covenant in Guinea. Detailed information should always be provided in the report itself, not in an oral introduction.

19. She also agreed with Mr. Ndiaye on the question of presidential power. While all States were free to choose the kind of political system they wished, a constitutional framework that did not favour the Covenant could have repercussions on human rights. Guinea did not even have a Prime Minister to share the powers of the executive branch; the National Assembly could not dismiss the President, but the President had the use of the referendum, the veto and control over the agenda of the National Assembly, thus in effect leaving it virtually powerless. The most effective guarantee would in her view be the election of a president by universal suffrage, and for a five year, non-renewable term. There was obviously concern in Guinea itself regarding what the report (para. 125) described as the "absolute power" of the executive, which had led to the establishment of the National Transition Council. However, after the transitional period, the executive would presumably once again be subject to no checks or balances by either the legislative or judicial branches.

20. With respect to the judiciary, the sole authority under the Basic Law was the Supreme Council of Justice (art. 81) presided over, again, by the President of the Republic. She wondered what was meant in that same article by the irremovability of magistrates "under conditions set by law", which seemed to be a contradiction in terms.

(Miss Chanet)

21. In its guarantee of fundamental rights, the Basic Law seemed to have taken the articles of the Covenant into consideration only by half: for example, article 9 of the Basic Law, corresponding to article 9 of the Covenant, failed to use the same wording; article 10 of the Basic Law gave citizens alone the right to demonstrate. The article of the Basic Law which seemed to her most dangerous and least in accord with the Covenant, however, was article 22, the second paragraph of which seemed to sanction abrogation of any right in the name of public order, a notion to which the Covenant in article 19 (paras. 1 and 2) set very specific limits.

22. The right of recourse set out in article 9 of the Basic Law and described in paragraph 77 of the report seemed useful, but she would like more information on how it was ensured in practice. She found nothing in the Basic Law regarding the State Security Court and the military courts and wondered if there was any organization act pending before the Parliament intended to modify either of those two courts of special jurisdiction.

23. Lastly, she asked whether Guinea intended to maintain its reservation to article 48 (1) of the Covenant and whether it planned to sign the Optional Protocol.

24. Mr. EL-SHAFEI observed that the report did not give the Committee a clear understanding of the relationship between the three branches of government. He would also like more information about the National Transition Council; its role, its composition, whether its members were appointed or elected, whether it had a legislative function and, if so, its scope. It was difficult to see how the Council's role related to that of the National Assembly. He agreed that too much power rested in the hands of the executive and wondered if that would be the case only during the transitional phase. As to the judiciary, more information was, again, needed on who appointed the judges and what the role of the judiciary was in the separation of powers.

25. The Basic Law (art. 3, last paragraph) did not specify how a multi-party system would actually work. He would appreciate more information as to which authority determined the establishment of a party, whether any parties had been established, and whether there were any plans for legislative elections.

26. Mr. SADI said that the Government, while clearly well-intentioned, had submitted very scant information in its report. The status of the Covenant was unclear: while paragraph 73 of the report stated sweepingly that any individual might invoke the international human rights instruments, which were an integral part of Guinean domestic law, information was needed on the provisions of any organization acts or other legislation that made that possible, and also some reference to precedents. He would also like more specific information concerning paragraph 75 of the report, referring to article 1 of the Covenant, and paragraph 79, referring to article 4 and the state of emergency. The extent of the derogation in article 74 of the Basic Law was unclear, and he also wondered whether there were any provisions stipulating that the Secretary-General of the United Nations should be informed prior to the proclamation of a state of emergency. Too little information had been provided on marriage and the family under article 23 of the Covenant; paragraph 94 of the report seemed to imply that infanticide was a serious problem in the country.

(Mr. Sadi)

Regarding article 26 of the Covenant, it was his impression from paragraph 99 of the report that the Basic Law prohibited acts of racial, ethnic or religious discrimination not per se but because they endangered national unity or State security.

27. In view of the grave human rights violations that had occurred in Guinea before 1984 under the dictatorship, he asked if any provision had been made to investigate those crimes and to hold the perpetrators accountable, and whether any kind of amnesty had been considered or declared.

28. Mr. MAVROMMATIS said it was a great pleasure to see a developing country that was facing economic problems taking steps towards democracy. The periodic report of Guinea was permeated by references to its Basic Law, yet little information was included on the practical application of Covenant articles. However, the discussion of factors and difficulties and the problems being faced was most welcome.

29. He asked why Guinea had opted for the Basic Law instead of a constitution, since a basic law had a temporary or transitional connotation. It would be helpful if the provisions permitting and encouraging the creation of political parties could be identified. He would like to know more about the restrictions on regionalism and tribalism in article 4 of the Basic Law, which did not appear to be permissible under the Covenant. Political opinion, colour, national origin, property and birth, which were mentioned in article 26 of the Covenant, had been omitted as grounds for discrimination in the Basic Law, and he wondered if there was any intention to add them in order to bring it in line with the Covenant.

30. Articles 11, 16, 20 and 27 of the Covenant had not been mentioned in the report, and in view of the recent changes, more information on the implementation of those articles would be welcome. He asked whether mandatory voting was the mechanism for ensuring popular participation in elections. The questions relating to the position of the Covenant in domestic law had not been answered clearly. If the Covenant was indeed supreme, he wondered whether it had been invoked before the courts and if it could be invoked directly.

31. Mr. BRUNI CELLI, referring to the embryonic human rights organizations mentioned in paragraph 128 of the report, asked whether the Government planned to establish an independent national human rights organization, whether non-governmental and international human rights organizations operated in Guinea, and whether the Government had any relationship with the African Commission on Human and Peoples' Rights. The political rights of women had been mentioned in the report, but he would like to hear more about their civil rights in matters such as property, divorce and family law.

32. Although Guinea had ratified the Covenant 15 years earlier, it had not yet ratified the Optional Protocol, and information concerning any legal or other restrictions on its ratification would be welcome.

(Mr. Bruni Celli)

33. A more detailed explanation of the specific legislative duties of the National Transition Council and the National Assembly and the jurisdiction of each body, whether separate or concurrent, was needed. Lastly, he inquired whether the Basic Law would be changed if a contradiction was found between that law and the Covenant.

34. Mr. FODOR said that the second periodic report of Guinea showed a great improvement over the first, but still did not entirely meet the Committee's guidelines, especially those regarding information on implementation of the Covenant.

35. The separation of powers as embodied in the Basic Law defined the competence of the National Assembly and the President. It was evident that the National Assembly was weak in comparison with a strong President, who even had a legislative role. According to paragraph 60 of the report, the Supreme Court would rule in cases of conflict between the National Assembly and the President. It would be interesting to learn whether the Supreme Court had heard any such cases, and whether the National Assembly had any role in the ratification of international treaties, or whether that was the exclusive competence of the President.

36. Turning to paragraph 8 of the report, he inquired why language was not included among the unlawful grounds for discrimination. In paragraph 10, it was stated that suffrage was universal for all citizens if they had not been deprived of their civil and political rights. Information should be provided about groups who could be so deprived, the grounds for such deprivation and the applicable procedures.

37. With reference to paragraph 33, he asked if an amendment adopted during a state of emergency would automatically be invalidated by the Basic Law without any further procedure, or if a special procedure was applied. If so, that procedure should be further clarified. If he understood paragraph 64 correctly, in the event that a conflict was discovered between the Covenant and the Basic Law, the Basic Law would be changed. That being the case, he asked if any amendments to the Basic Law had been made because of discrepancies with the Covenant.

38. More information was needed regarding the structure of the judiciary, the appellate courts and the competence of the Supreme Court and the High Court of Justice. If the latter was a special court, it was difficult to see how it harmonized with the principles of equality before the law.

39. Regarding the legislative and constitutional referendums mentioned in paragraph 44, it would be interesting to know how many had been held since the adoption of the Basic Law and their practical and financial implications, given the economic difficulties the country faced, since such an exercise was usually costly.

40. Mrs. EVATT inquired what measures had been taken to disseminate information about the Covenant, and whether local non-governmental organizations had been consulted in the preparation of the report. An imbalance of powers, rather than a separation of powers, might more aptly describe the current situation, since power was apparently concentrated in the executive. The relationship between the executive and legislative branches of government needed further clarification. Empowering the Supreme Court to give an opinion on the holding of a referendum or the dissolution of the National Assembly (para. 60) entailed the danger of involving the judiciary in a political process. Clarification of the process of appointing judges and a more detailed description of the High Court of Justice and the process whereby its judges were appointed were also needed.

41. The straightforward manner in which the report discussed the difficulties faced was commendable. She asked what measures were in place or planned in order to overcome those difficulties, whether citizens were aware of their rights, whether those rights could be and were invoked freely in practice, and whether an independent national institution would be established to provide citizens with recourse when their rights were abused.

42. Women had equal rights as a matter of law, but if they were to participate in society on equal terms, they first required equal access to education. The literacy rate and rate of access to primary and secondary education for women were far below those of men. Their equality in the family must be clearly established as well. She would like to know whether attention was being paid to overcoming the obstacles posed by traditional attitudes towards women and practices such as excision.

43. Mr. PRADO VALLEJO said that the delegation's introduction of the report had been helpful in making up for that document's inadequacies, but information was still lacking on systems for the practice of human rights and means of recourse. He would be interested to learn what legislation for the protection of human rights currently existed. The description of the presidential regime in paragraphs 37 and 38 of the report raised some concerns and required clarification. Paragraph 39 stated that the Basic Law precluded any possibility of the President's power of decision being contested. It would be important to know what limits were placed on presidential power, and what the excessive powers mentioned in paragraph 50 might be. It was difficult to protect human rights in a situation in which unrestricted power over all areas of national life was concentrated in one person.

44. The Committee was also concerned about the existence of military courts and the State Security Court, whose trials were conducted in secret. The Covenant specifically provided for public trials and it was difficult to see how the human rights of citizens could be protected under such conditions.

45. The report had candidly acknowledged the serious problems which Guinea faced in ensuring respect for human rights. In that connection, the Committee would welcome additional information on the progress made in that area, as alluded to in paragraph 102 of the report. It would also be useful to have further clarification about the reported resignation of victims to the violation of their human rights (para. 135 (a)).

(Mr. Prado Vallejo)

46. Paragraph 107 of the report stated that, thanks to the independent efforts of the legal profession, the time-limits on preventive detention were increasingly being respected. The proper role of the legal profession, however, was to help those arrested and it was for the Government to ensure the protection of the human rights of Guinean citizens through the legal system.

47. The information contained in paragraph 132 of the report concerning the status of women in Guinea was also very disturbing to the Committee. On the whole, the human rights situation in the country was far from satisfactory and urgent steps must be taken to bring about improvements.

48. Mr. LALLAH, while congratulating the delegation of Guinea on its honest and frank responses to the questions thus far raised, said that, in certain respects, the report was inadequate, particularly with respect to the mechanisms for the implementation of the Basic Law, the promulgation of which was a step in the direction of more effective protection of human rights in Guinea. The report contained little information on the jurisdiction and procedures of the military courts and he would welcome any additional information on that subject. With regard to the state of exception, it would be useful to know whether it could be extended, and if so, for what length of time and under what circumstances. In that connection, he found it unusual that the judiciary should have given advance approval for the restrictions imposed under the state of exception. He wanted to know what the role of the judiciary was in practice and what mechanisms were in place to guarantee its independence. He also wanted precise details of the respective jurisdictions of the military and civilian courts and on the modalities for resolving conflicts between them. It would be particularly useful to have clarification of the "limited referral" (para. 63) to which the action of the Supreme Court was subjected.

49. Mr. WENNERGREN said that the report provided a good example of a country that was progressing along the path to democracy and the rule of law. The Basic Law, whose provisions were important for the future of the country, proposed solutions which, while unusual, were in keeping with the traditions of Guinea. He understood that the Basic Law was not yet fully in force and that a transitional council would act as the legislature during a five-year period of transition. It would be helpful if the Committee were given an idea of the current situation in that regard and of the extent to which the Basic Law had thus far been implemented.

50. He recalled that, during the consideration of the previous periodic report of Guinea, the delegation of that country had undertaken to review the operations of the State Security Court, whose decisions were not subject to appeal as provided for in the Covenant. He wished to know the results of that review.

51. With regard to the dissemination of information concerning the Basic Law and human rights, he noted that two human rights seminars had been held in Guinea in 1988 and 1989, respectively, (para. 134) and that a number of human rights instruments had been translated into national languages or transcribed into songs. The Committee would welcome information on the specific topics discussed at the seminars and would like to know whether the programme of translation and transcription was still being pursued.

(Mr. Wennergren)

52. He noted the reference in paragraph 14 of the report to a State subject to the rule of law in which each individual respected the law and the rights of others and took part in the construction of a more equitable and more prosperous society. He wished to point out, however, that the authorities, and in particular the executive branch, must also respect the law. In that connection, it would be helpful to know what rules of law had been enacted to ensure that the executive branch did indeed respect the law and the decisions of the courts.

53. Mr. HERNDL said he was gratified to read in paragraph 136 of the report that the authorities' objective was to establish a genuine culture of human rights in Guinea and that there was a new light in the Guinean sky. He took that declaration as a pledge of commitment to the protection of human rights.

54. He was particularly interested in the place of international law and international treaties in the legal system of Guinea. In that connection he would welcome additional information on the practical application of articles 78 and 79 of the Basic Law.

55. On the question of the dissemination of human rights instruments, he noted that the Universal Declaration of Human Rights had been translated into the national languages (para. 135 (b)). He wanted to know into which national languages it had been translated and what follow-up there had been to the human rights seminars referred to in the same paragraph.

56. He would welcome additional information on the role of the Supreme Court in the review of legislation and in the application of international treaties. It would be particularly useful to have clarification of the legal consequences of the Court's opinions and of the role of the Court in the dissolution of the National Assembly and the holding of referendums (para. 60).

57. Lastly, he wanted to know the modalities whereby individuals could invoke the protection provided by international instruments and whether national authorities, including the courts, were required to apply the provisions of such instruments.

The meeting rose at 1 p.m.